

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF CITY  
COMMISSIONERS FOR THE CITY OF PORT ST. JOE, FLORIDA, HELD AT  
2775 GARRISON AVENUE, April 5, 2022, at Noon.**

The following were present: Mayor Buzzett, Commissioners Ashbrook, Hoffman, and Langston. City Manager Jim Anderson, City Clerk Charlotte Pierce, and City Attorney Clinton McCahill were also present. Commissioner Lowry joined the meeting at 12:07 P.M.

**CONSENT AGENDA**

**Minutes**

A Motion was made by Commissioner Ashbrook, second by Commissioner Langston, to approve the Minutes of the Regular Meeting of March 15, 2022. All in favor; Motion carried 4-0.

Mr. McCahill read Form 8B Memorandum of Voting Conflict For County, Municipal, and Other Local Public Officers as completed by Commissioner Brett Lowry concerning the Development Order Request for Palmetto Bluff Subdivision for 90 Units from Long Avenue Partners, LLC. Commissioner Lowry has a business relationship with Developer, Ralph Rish.

**Scott Dudley – League of Cities Legislative Update** – Mr. Dudley was running late and his presentation was delayed until after the engineer's report.

**City Engineer – Josh Baxley**

*Long Avenue Water / Sewer Project*

Under construction, crews are currently working on the water main and force main on Long Avenue.

*RFP 2022-01 First Street Paving*

Two bids were received, Pigott Asphalt and Sitework \$609,783.06; American Sand and Asphalt Paving \$652,780.50. Bids are currently being reviewed by FDOT as both prices were over budget.

*Clifford Sims Park Plan*

Bids are due April 8, 2022.

*Commissioner Lowry joined the meeting.*

*Boat Ramp Access Road Design*

Dewberry is finalizing the plans this week and preparing the bid package.

Commissioner Langston requested that the pile of dirt in front of Mama Dot's and the Farmacy be relocated.

**Scott Dudley – League of Cities Legislative Update**

Commissioner Ashbrook introduced his mother Debbie Ashbrook, Office Manager of Tapper Company Marci Daniels, General Manager of Mainstay Suites Heidi Willis, and General Manager of the Port Inn Ladonna Whitfield and thanked them for all of their work that made it possible for him to be active in the Florida League of Cities and serve on the City Commission.

Scott Dudley, Director of Field Advocacy and Federal Affairs for the Florida League of Cities reviewed the recent legislative session and items that were of particular interest to cities. He also recognized Commissioner Ashbrook for his involvement in the past session and presented him with a *Home Rule Hero Certificate*.

Mr. Dudley encouraged the Commissioners to participate in the Annual Conference this year and to become more involved in the League of Cities.

**City Attorney –**

*Ordinance 597 Food Trucks - Second Reading and Adoption*

A Motion was made by Commissioner Langston, second by Commissioner Lowry, to have the Second Reading and Adoption of Ordinance 597. Commissioners Ashbrook and Hoffman each stated they would be abstaining from voting on Ordinance 597. Voting for the Ordinance were Mayor Buzzett, Commissioners Langston and Lowry. Abstaining were Commissioners Ashbrook and Hoffman. Motion passed 3-0 with 2 abstentions.

Form 8B Memorandum of Voting Conflict For County, Municipal, And Other Public Officers as completed by Commissioners Ashbrook and Hoffman are attached.

**Old Business**

*City Projects*

Mr. Anderson reviewed the list of City Projects and noted the completion of the following projects: First Street Sewer Point Repairs; Monument Avenue Sidewalks Project; Dugout Repairs at Benny Roberts Park; and Water Meter Replacement throughout our service area. All other projects are ongoing.

*Fish Cleaning Station – Electrical Quote:*

A Motion was made by Commissioner Ashbrook, second by Commissioner Hoffman, to approve the electrical quote from Duke Energy in the amount of \$3,284.29 to provide power for the Fish Cleaning Station. All in favor; Motion carried 5-0. Funds for the quote will come from the Frank Pate Park Boat Ramp Funds.

**New Business –**

*Accessory Structures – Mayor Buzzett*

Mayor Buzzett expressed his concerns about the integrity and charm of our City being compromised by the excessive accumulation of boats, trailers, campers, and other items being parked and stored in the front yard of residents. He asked that the Commissioners look at this situation, see how other cities are handling this problem, and be prepared to come up with a solution to this.

*New City Hall Complex Update*

City Architect, J. J. Scott, anticipates having a PAR for the project this week.

*American Rescue Plan – Use of Funds*

These funds are for Covid Relief. Commissioner Hoffman stated that he would like to see the funds used for local residents, not tourism, and requested the County to partner with the City to establish the Field of Dreams by using the Bed Tax monies collected in the City.

*RFP 2022-03 Washington Gym Sidewalk Cover Update*

No Bids were received for this project. The Scope of Work will be revised and rebid to see if anyone will bid on the project.

**Public Works –**

*FDEP Septic to Sewer Grant*

Mr. Grantland is on vacation and Mr. Anderson shared this is a \$1,000,000 grant that will provide funds for system wide residents to come on the City's sewer. Anyone currently on a septic tank that is interested in

being on City sewer should call Mike Lacour to sign up. The cost is \$500 compared to the usual cost of \$5,800.

### **Surface Water Plant –**

Mr. McClamma was running the plant and unable to attend the meeting. Mr. Anderson noted that there is a new staff member at the plant this week.

### **Wastewater Plant – Kevin Pettis**

Mr. Pettis shared there is over 3' of freeboard in the pond, and the Sonic Disrupter has been installed which has reduced the amount of Algae in the pond. TSS numbers for January, February, and March were high, the plant will not be discharging this month, and FDEP has extended the Consent Order until October 1, 2022. A plan will have to be created for the extension. He also noted that by 2032 standards for operating water plants will be horrific and all improvements for the plant need to be made according to what the requirements will be then.

### **Finance Director – Mike Lacour**

#### *Letter of Support Request*

Mr. Lacour discussed a Letter of Support for the University of Florida focusing on a Stormwater Master Plan running from Depot Creek to Chicken House Branch.

A Motion was made by Commissioner Ashbrook, second by Commissioner Lowry, to provide a letter clearly stating there will be no monetary contributions from the City and the plan needs to be reviewed by Dewberry. All in favor; Motion carried 5-0.

### **Code Enforcement –**

#### *James Brannon – 1302 Monument Avenue Travel Trailer*

James and Susan Brannon requested they be allowed to reside in their camper in the back driveway while completing repairs to their home. After discussion, a Motion was made by Commissioner Hoffman, second by Commissioner Lowry, that the Brannon family may reside in their camper for a 6-month period while completing their house. All in favor; Motion carried 5-0.

#### *Mark Griffin – 1405 Constitution Drive, Stop Work Order*

Dr. Griffin, representing himself and Katheen Johnson, requested relief from the Stop Work Order issued for 1405 Constitution Drive. After a lengthy discussion, a Motion was made by Commissioner Hoffman, second by Commissioner Ashbrook, to immediately remove the Stop Work Order with the understanding that Mr. Griffin will be permitted to dry in, by Code definition, the Carriage Home. At that point, there will be no more permits issued for the Carriage project until the primary home reaches that same level of permits. All in favor; Motion carried 5-0.

### **Police Department – Chief Richards**

Chief Richards did not have any updates for the Commission.

### **City Clerk – Charlotte Pierce**

#### *Grants Update*

Clerk Pierce shared that Staff continues to meet with the City's grant writing team and explore grants for the City.

#### *Resolution 2022-03 City Election Results 2022*

Mayor Buzzett congratulated Commissioners Hoffman and Lowry on being returned to office unopposed.

A Motion was made by Commissioner Langston, second by Commissioner Ashbrook, to adopt Resolution 2022-03. All in favor; Motion carried 5-0.

Ms. Pierce shared that Mayor Buzzett had signed the Grant Agreement for the Cape San Blas Lighthouse Complex in the amount of \$337,495 for repairs to be made to the complex.

**Citizens to be Heard –**

*Robert Farmer*, Site Manager for the Senior Citizens Program, thanked the Commission for their help in providing a roof for the Senior Citizens Building, noted Eddie Fields in now the CEO of the Senior Citizens Program, shared the building would be available for rent, flyers will be provided requesting donations for t-shirts for program participants, and they will be involving seniors from Port St. Joe High and Wewahitchka High Schools with the Senior Citizens. He encouraged the Commissioners to keep up the good work.

*Joe Whitmer*, Executive Director Gulf County Chamber of Commerce, thanked the Commissioners for their help with Blues on Reid. He noted the event was a big success and shared that they look forward to more great events.

**Discussion Items by Commissioners**

*Commissioner Langston* did not have anything to update the Commission on.

*Commissioner Ashbrook* asked about the possibility of a direct line to Code Enforcement to report debris being left at various locations. After discussion, consensus was that unless there was evidence of the individuals leaving the debris, it would not be possible to determine who left the debris.

*Commissioner Lowry* expressed his appreciation for being returned to office for his fourth term and stated he was looking forward to the next two years.

*Commissioner Hoffman* expressed his desire to see the Commission focus more on the community to make it a better community and not just be concerned about tourism. He feels that focus should be directed to Core Park after the Field of Dreams is completed.

Mayor Buzzett asked for a Workshop to be held Thursday, June 2, 2022, at 6 P.M. to discuss the Field of Dreams Project.

*Mayor Buzzett* did not have anything else to share with the Commission.


**Motion to Adjourn –**

There was no other business to come before the Commission and Mayor Buzzett adjourned the meeting at 2:25 P.M.

Approved this 19<sup>th</sup> day of April 2022.

  
\_\_\_\_\_  
Rex Buzzett, Mayor

4/19/22  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Charlotte M. Pierce, City Clerk

4/19/22  
\_\_\_\_\_  
Date

# FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME Ashbrook, David A.		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Port St. Joe Board of City Commissioners	
MAILING ADDRESS 1618 Marvin Avenue		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY Port St. Joe, FL 32456	COUNTY Gulf	<input checked="" type="checkbox"/> CITY	<input type="checkbox"/> COUNTY
DATE ON WHICH VOTE OCCURRED April 5, 2022		NAME OF POLITICAL SUBDIVISION: City of Port St. Joe	
		MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE	

## WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

## INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

### ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

**PRIOR TO THE VOTE BEING TAKEN** by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting, *and*

**WITHIN 15 DAYS AFTER THE VOTE OCCURS** by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

### APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

**IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:**

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

**APPOINTED OFFICERS (continued)**

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

**DISCLOSURE OF LOCAL OFFICER'S INTEREST**

I, David A. Ashbrook, hereby disclose that on 4/5, 20 22

(a) A measure came or will come before my agency which (check one or more)


- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, \_\_\_\_\_;
- inured to the special gain or loss of my relative, \_\_\_\_\_;
- inured to the special gain or loss of \_\_\_\_\_, by whom I am retained; or
- inured to the special gain or loss of Tapper & Company Properties Management, Inc., which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Ordinance 597 Regarding Food Trucks (Mobile Food Dispensing Vehicles). I work for a company with an interest in utilizing food trucks on a contract landlord / tenant basis.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

4/5/2022  
Date Filed

  
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

# FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <b>Hoffman, Arthur S.</b>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <b>Port St. Joe Board of City Commissioners</b>	
MAILING ADDRESS <b>1705 Garrison Avenue</b>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY <b>Port St. Joe, FL 32456</b>	COUNTY <b>Gulf</b>	<input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED <b>April 5, 2022</b>		NAME OF POLITICAL SUBDIVISION: <b>City of Port St. Joe</b>	
		MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE	

## WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

## INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

\* \* \* \* \*

### ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

\* \* \* \* \*

### APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

**IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:**

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

**APPOINTED OFFICERS (continued)**

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

**IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:**

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

**DISCLOSURE OF LOCAL OFFICER'S INTEREST**

I, Arthur S. Hoffman, hereby disclose that on \_\_\_\_\_, 20 22 :

(a) A measure came or will come before my agency which (check one or more)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, \_\_\_\_\_ ;
- inured to the special gain or loss of my relative, Brother owns food truck \_\_\_\_\_ ;
- inured to the special gain or loss of \_\_\_\_\_, by whom I am retained; or
- inured to the special gain or loss of \_\_\_\_\_, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

4/5/2022  
Date Filed

  
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.